



Signed: June 22, 2011

PATRICK L. FORTE, #80050
ANNE Y. SHIAU, #273709
LAW OFFICES OF PATRICK L. FORTE
One Kaiser Plaza, #480
Oakland, CA 94612
Telephone: (510) 465-3328
Facsimile: (510) 763-8354

EDWARD D. JELLEN
U.S. Bankruptcy Judge

Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 11-44461 EDJ

KATIE RUTH DAVIS,
Debtor.

Chapter 13

ORDER VALUING LIEN OF PNC BANK
AS SUCCESSOR TO NATIONAL CITY
BANK

On May 23, 2011, Katie Davis (hereinafter Debtor) served a motion to value the lien of PNC Bank as successor to National City Bank (hereinafter Lienholder) against the property commonly known as 209 Market Avenue, Richmond, CA 94801, which lien was recorded in Contra Costa County on or about December 2, 2005 as document 0465577-00 (hereinafter the Lien).

The court finds that notice of the motion upon Lienholder was proper. Lienholder having failed to file timely opposition to Debtor's motion, the court hereby orders as follows:

(1) For purposes of Debtor's chapter 13 plan only, the Lien is valued at zero, Lienholder does not have a secured claim, and the Lien

1 may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b)(2) and
2 1327.

3 (2) This order shall become part of Debtor's confirmed chapter 13
4 plan.

5 (3) Upon entry of a discharge in Debtor's chapter 13 case, the
6 Lien shall be voided for all purposes, and upon application by Debtor,
7 the court will enter an appropriate form of judgment voiding the Lien.

8 (4) If Debtor's chapter 13 case is dismissed or converted to one
9 under another chapter before Debtors obtain a discharge, this order
10 shall cease to be effective and the Lien shall be retained to the
11 extent recognized by applicable nonbankruptcy law, and upon
12 application by the Lienholder, the court will enter an appropriate
13 form of order restoring the Lien.

14 (5) Except as provided by separate, subsequent order of this
15 court, the Lien may not be enforced so long as this order remains in
16 effect.

17 *** END OF ORDER ***
18
19
20
21
22
23
24
25
26

COURT SERVICE LIST

Law Offices of Patrick L. Forte
One Kaiser Plaza, Suite 480
Oakland, CA 94612

Katie Davis
209 Richmond Avenue
Richmond, CA 94801

Attn: Officer
PNC Bank
222 Delaware Avenue
Wilmington, Delaware 19899

Attn: Officer
PNC Bank
PO Box 94982
Cleveland, OH 44101

Attn: Officer
PNC Bank, NA
C/o CSC Lawyers Incorporating Service
2730 Gateway Oaks Drive
Suite 100
Sacramento, CA 95833-3503

Attn: Officer or Managing Agent
GMAC Mortgage, LLC
1100 Virginia Dr
Fort Washington, PA 19034

Attn: Officer or Managing Agent
GMAC Mortgage, LLC
C/o CSC- Lawyers Incorporating Service
2730 Gateway Oaks Drive
Suite 100
Sacramento, CA 95833

Attn: Eddie R. Jimenez
GMAC Mortgage, LLC
C/o Pite Duncan, LLP
4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92177-0933

Attn: Ramesh Singh
GE Money Bank
C/o Recovery Management Systems Corp.
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605